IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION No. 19446 of 2004

Between:

Kakani Vihasita D/o Vijaya Krishna Vikram Kumar,
minor rep by her father/next friend Sri K. Vijaya Krishna Vikram.

..... PETITIONER

AND

1 The State of AP rep by Prl. Secretary, Higher Education,
Secretariat, Saifabad, Hyderabad.
2 The Convener, EAMCET-2004, JNTU Hyderabad School of
IT Buildings, Cellar Portion JNTU, Kukatpally, Hyderabad-72 .

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not furnishing photostat copies of question paper and true form of OMR answer sheet and other related connected records of the petitioner relating to hall ticket number 4613717 in EAMCET-2004 in medical stream in spite of her application and payment of required fee there for is illegal, irregular, violative of Article 14 and 41 of the Constitution of India and also the very notification issued by the 2nd respondent and consequently direct the respondents to furnish all such materials in the interest of justice.

Counsel for the Petitioner : Mr.SATYANARAYANA NIMMAGADDA

Counsel for Respondent No.1: GP FOR EDUCATION

Counsel for Respondent No.2: Mr.DEEPAK BHATTACHARJEE

The Court made the following :

ORDER:

Heard the learned counsel for petitioner and the learned counsel for respondents.

The petitioner who appeared for EAMCET examination of 2004 in medical stream under Hall Ticket No.4613171, filed the present writ petition seeking a direction to the respondents to furnish the Photostat copies of question paper, OMR answer sheet and other connected records.

The learned counsel for petitioner submits that the Convenor, EAMCET-2004 has released initial key two days after EAMCET examination inviting objections. From the said key, petitioner found 133 answers to be correct in comparison with key. Since she was awarded only 93 marks, she made application pursuant to the notification dated 28.5.2004 for supply of scanned copies of papers of her set concerned by paying necessary fee and accordingly she was supplied with Photostat copy of OMR answer sheet, key answers and question number equivalence sheet with respective set of question papers. The complaint of the petitioner is that she was not supplied with the question paper given to her on the day of examination and therefore she could not verify the same. It is stated that the second respondent and its authorities are intentionally suppressing the question papers from the students by taking it from them though there is no requirement of question paper for valuation, which is arbitrary and illegal.

It is not in dispute that the question paper and the key answer was made available on the website with downloading facility and the same were also published in the leading newspapers. The contention of the petitioner that since the question paper was not available enabling the petitioner to compare answers with that of question paper cannot be countenanced.

The writ petition is misconceived and is therefore dismissed.

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A.GOPAL REDDY, J

Date: 10.11.2004

DA

To

1 The Prl. Secretary, Higher Education, Govt. of A.P., Secretariat, Saifabad, Hyderabad.
2 The Convener, EAMCET-2004, JNTU Hyderabad School of IT Buildings, Cellar Portion JNTU, Kukatpally, Hyderabad-72 .

3 Two CCs to the G.P. for Education, High Court Buildings,

Hyderabad (OUT).

4 Two spare copies.